

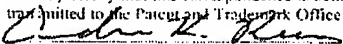
Docket No.: 062781-0066

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : BURKEY, TODD R.  
Appl. No. : 10/781,594  
Filed : February 18, 2004  
Title : METHOD, APPARATUS AND  
PROGRAM STORAGE DEVICE  
THAT PROVIDE VIRTUAL SPACE  
TO HANDLE STORAGE DEVICE  
FAILURES IN A STORAGE  
SYSTEM

Customer No.: 41552  
Confirmation No.: 2698

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile  
transmitted to the Patent and Trademark Office on Sept. 13, 2006.  
  
Andrew K. Reese

Grp./A.U. : 2184  
Examiner: : Not yet assigned.

**REVOCATION OF POWER OF ATTORNEY AND  
APPOINTMENT OF NEW AGENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the above-identified application hereby revokes all previous Powers of Attorney and appoints the following attorneys with full power to prosecute the application, to make alterations and amendments therein, and to transact all business in the United States Patent Office connected therewith.

I hereby appoint the registered practitioners of McDermott Will & Emery LLP, included in the Customer Number provided below, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**CUSTOMER NUMBER 41552**

Send correspondence to the address associated with Customer Number 41552

McDERMOTT WILL & EMERY LLP  
4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122

Direct Telephone Calls to: Telephone 858.535.9001

**CERTIFICATE UNDER 37 CFR 3.73(b)**

Xiotech, a corporation of Minnesota, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded on February 18, 2004. The assignment was recorded in the Patent and Trademark Office at Reel 015006, Frame 0892.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

The undersigned further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of

the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Assignee: Xiotech Corporation

By: 

Date: 7 Sept 2006

SDO 48656-1.062781.0066  
8/16/06